

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kenneth Shelton	Team: Squad #2	CCRB Case #: 201905008	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 06/03/2019 4:30 PM	Location of Incident: 47th Precinct stationhouse	Precinct: 47	18 Mo. SOL 12/3/2020	EO SOL 7/20/2021	
Date/Time CV Reported Tue, 06/04/2019 8:58 AM	CV Reported At: CCRB	How CV Reported: Mail	Date/Time Received at CCRB Fri, 06/07/2019 2:22 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Andres Cordero	03199	964457	047 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Thomas Horton	04023	941914	047 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Andres Cordero	Discourtesy: Police Officer Andres Cordero spoke discourteously to § 87(2)(b)	
B.POM Andres Cordero	Off. Language: Police Officer Andres Cordero made remarks to § 87(2)(b) based upon race.	
C.POM Andres Cordero	Abuse: Police Officer Andres Cordero threatened § 87(2)(b) with the use of force.	

### Case Summary

On June 4, 2019, § 87(2)(b) filed this complaint on the CCRB website.

At approximately 4:30 p.m., on June 3, 2019, § 87(2)(b) visited the 47<sup>th</sup> Precinct stationhouse in the Bronx. § 87(2)(b) spoke to Police Officer Andres Cordero of the 47<sup>th</sup> Precinct at the desk and requested to file police reports. During this interaction and while writing the reports, an officer stated something to Police Officer Cordero. Police Officer allegedly responded to the officer, “After I finish this piece of shit here” (**Allegation A: Discourtesy - Word**, § 87(2)(g) Police Officer Cordero then allegedly made a statement in Spanish to other civilians seated behind § 87(2)(b) which § 87(2)(b) interpreted as, “Let me help this Blackie,” with Police Officer Cordero specifically allegedly calling her a “Negrita” (**Allegation B: Offensive Language – Race -** § 87(2)(g) After completing one of the reports, Police Officer Cordero informed § 87(2)(b) that he could not generate the other police reports. § 87(2)(b) repeatedly asked for Police Officer Cordero to generate the reports and Police Cordero allegedly stated that § 87(2)(b) needed to get out of the seat or he would drag her out of the seat (**Allegation C: Abuse of Authority – Threat of Force**, § 87(2)(g) § 87(2)(b) was not arrested or issued a summons during this incident.

No video evidence of the incident was obtained by the investigation.

### Findings and Recommendations

**Allegation (A) Discourtesy: Police Officer Andres Cordero spoke discourteously to § 87(2)(b)**

**Allegation (B) Offensive Language: Police Officer Andres Cordero made remarks to § 87(2)(b) based upon race.**

**Allegation (C) Abuse of Authority: Police Officer Andres Cordero threatened § 87(2)(b) with the use of force.**

On July 11, 2019, § 87(2)(b) provided the CCRB with a written notarized statement (BR 01) On July 25, 2019, § 87(2)(b) was interviewed by telephone (BR 02). On October 29, 2019, Police Officer Andres Cordero was interviewed at the CCRB (BR 03). On November 12, 2019, Sergeant Edward Horton was interviewed at the CCRB (BR 04).

It is undisputed that § 87(2)(b) visited the 47<sup>th</sup> Precinct stationhouse and spoke to Police Officer Cordero next to the desk. § 87(2)(b) requested to file a police report and requested to speak to Sergeant Cinderelli and the detective squad. Police Officer Cordero informed § 87(2)(b) that Sergeant Cinderelli was not present and that the detective squad was not available. Police Officer Cordero then prepared a police report for aggravated harassment (BR 05) and § 87(2)(b) left the stationhouse.

§ 87(2)(b) stated that while Police Officer Cordero filed out one of her police reports, an unidentified officer passed by Police Officer Cordero and stated something to him. Police Officer Cordero allegedly responded, “After I finish this piece of shit here.” § 87(2)(b) asked Police Officer Cordero why he referenced her report as “a piece of shit” and Police Officer Cordero did not respond. Police Officer Cordero then asked, in Spanish, to other civilians seated behind § 87(2)(b) if they needed help and § 87(2)(b) told Police Officer Cordero, in English, that he needed to help her and wait until she’s done to help anyone else. Police Officer Cordero then made a statement, in Spanish, that she interpreted as, “Let me help this Blackie,” specifically stating that he called her a “negrita” to the other civilians. After completing the first report, § 87(2)(b) asked Police Officer Cordero if he could generate another police report or look for the officers who could generate it for her. Police Officer Cordero responded that he was not going to generate an additional police report and stated that the detective squad was unavailable. § 87(2)(b) asked Police Officer Cordero if she could see the first report and Police Officer Cordero told § 87(2)(b) that he did not have to let her see the report. Police Officer Cordero added that § 87(2)(b) needed to get out of the seat or he would drag her out of the seat. Police Officer Cordero repeated this statement twice

but did not say anything else and did not provide a reason why she needed to exit the chair. § 87(2)(b) asked to speak to supervisor and told Police Officer Cordero that she was not leaving the stationhouse. Police Officer Cordero replied that he was not getting a supervisor. After waiting for approximately fifteen minutes, § 87(2)(b) then left the stationhouse.

Police Officer Cordero stated that § 87(2)(b) showed him multiple documents located in a manila folder, which detailed potential crimes committed against her, and asked Police Officer Cordero to prepare a police report for her. Police Officer Cordero noted that a sergeant was present while he listened to § 87(2)(b) although he did not recall which sergeant. § 87(2)(b) was calm throughout their interaction. Police Officer Cordero denied speaking discourteously in the presence of § 87(2)(b) referring to her as a “negrita,” or threatening her with the use of force.

Sergeant Horton did not recall this incident.

§ 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- This is the first complaint to which § 87(2)(b) has been a party (BR 07).
- Police Officer Andres Cordero has been a member of service for two years and has been a subject in three CCRB complaints and eight allegations, none of which were substantiated.

§ 87(2)(g)

#### **Mediation, Civil and Criminal Histories**

- This complaint was not suitable for mediation.
- A FOIL request was submitted with the New York City Office of the Comptroller for a search for any Notices of Claim related to this case on December 23, 2019, and the results will be added to the case file upon receipt.

• [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 2

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date